

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

PREMIER ENTERTAINMENT BILOXI, LLC , PLAINTIFF/COUNTER-DEFENDANT
doing business as Hard Rock Hotel & Casino Biloxi, a
Delaware limited liability company

U. S. BANK NATIONAL ASSOCIATION INTERVENOR/PLAINTIFF

V. CIVIL ACTION NO. 1:06cv12-LTS-RHW

JAMES RIVER INSURANCE COMPANY DEFENDANT/COUNTER-CLAIMANT

ORDER

In accordance with a Memorandum Opinion filed contemporaneously herewith, **IT IS ORDERED:**

Premier's [52] Motion to Dismiss James River's Counterclaim, now converted to a Motion for Summary Judgment, is **DENIED**;

Premier's [54] Motion for Partial Judgment on the Pleadings, likewise considered as a Motion for Summary Judgment, is **DENIED**;

James River's [61] Motion for Partial Summary Judgment is **DENIED**.

SO ORDERED this the 3rd day of October, 2007.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE